

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No.: 7312

Ghosh, et al.

Examiner: Hwa

Serial No.: 10/824,887

Group Art Unit No.: 2169

Filed: April 13, 2004

For: COMPILATION AND PROCESSING A
PARALLEL SINGLE CURSOR MODEL

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REPLY BRIEF

This Reply Brief is submitted in response to the Examiner's Answer mailed March 4, 2009, for which a response may be filed on or before May 4, 2009.

As a preliminary matter, it appears that there is a notable absence of answers in the Examiner's Answer. As shall be explained hereafter, the Examiner's Answer repeatedly compensates for the absence of answers by reproducing large excerpts from the Applicant's specification and/or the prior art. However, those excerpts do not have any answers, and do not support the current rejections.

I. Section (1) of the Examiner's Answer is Non-Responsive, and Does Not Address Arguments of Record.

The Examiner's Answer (page 18, section (1)) appears to acknowledge that Claims 15-25 and 27-29 were amended to recite only storage media, but then quotes Applicant's specification at length without responding to this argument or any of Applicant's arguments. Then, the Examiner's Answer simply concludes that the

rejection should be maintained.

The Examiner's Answer thus ignores the fact that the claims are directed to a "storage medium" and not simply to a "medium". As pointed out in the Applicant's Brief, transmission media does not qualify as a storage medium for the simple reason that transmission media does not store information. The Examiner's Answer has no response at all to this relatively straightforward and self-evident proposition. The quotations from Applicant's specification are not a response.

II. The Examiner's Answer Extensively Quotes Prior Art, but largely Ignores Applicant's various Arguments, and also does not Apply that Prior Art to the Claims.

Sections (2), (3), and (4) of the Examiner's answer each begin with the phrase "in response to applicant's argument" (page 19, page 20, page 22), but this phrase is inaccurate. The Examiner's Answer is largely composed of lengthy quotations from various prior art references, but without any reasoning or argument tying those quotations to the claims.

It is not clear what purpose those quotations are meant to serve. The Applicants are already familiar with what the prior art shows, and have already explained why that content does not support the current rejections. What is not clear, and what those quotes cannot answer, is why the current rejections have been maintained.

Specifically, Section (2) of the Examiner's Answer (pages 19-20) extensively quotes Borden's specification, including 4 separate citations thereto. Section (3) of the Examiner's Answer (pages 20-22) extensively quotes Reiner's and Borden's specification, including 4 separate citations to Reiner and 7 separate citations to Borden. However, these quotations are almost completely irrelevant to Applicant's arguments.

Further, the Examiner's Answer almost never makes any attempt to respond to or even acknowledge Applicant's arguments, except to include those arguments within the subject headings.

III. Section (2) of the Examiner's Answer Mischaracterizes Applicant's Arguments.

The Examiner's Answer (page 19, section (2)) mischaracterizes Applicant's argument, by over-simplifying Applicant's arguments down to "neither Reiner nor Borden has an equivalent for the claimed 'sharing the set of information with each slave process of said plurality of slave process'".

This is not Applicant's position. Applicant never suggested that information sharing, in some form or another, doesn't occur. Reiner does describe some type of information sharing, as admitted in the Appeal Brief, page 6. However, Claim 1 does not cover "information sharing" per se. Rather, Claim 1 expressly requires

"... sharing the set of information with each slave process of said plurality of slave processes, wherein the set of information shared with each slave process includes **(a) information about a task to be performed by said slave process, and (b) information about one or more tasks, to be performed by processes other than the slave process, to execute the database statement . . .**".

The Examiner's Answer notes that "all database storage is shared by all the system in the query process complex" (page 19, citing Borden's column 5, lines 40-53 and elements 24A-24H of figure 2). However, the information bolded above would not be stored in the database, so sharing database storage would not allow slave processes to obtain the above-bolded information.

IV. Section (3) of Examiner's Answer is Non-Responsive.

Section (3) of the Examiner's Answer (pages 20-22) quotes one of Applicant's numerous arguments, but then extensively quotes Reiner's specification without responding to that argument. Specifically, Section (3) refers to section (b) of Claim 1

which recites the sharing of “information about one or more tasks, to be performed by processes other than the slave process, to execute the database statement”. The Examiner’s Answer is unclear, but appears to apply Reiner’s set of subqueries, database partitions 72A, 72B, 72C, threads 78A, 78B, 78C, and each thread “routing its subquery to a separate server process” as corresponding with this claimed feature. Again, the Examiner’s Answer ignores Applicant’s position.

Reiner’s subqueries and threads 78A, 78B, and 78C are never described as having possession of any information other than that which is needed to carry out **their own** responsibilities. For example, Reiner contains no suggestion that thread 78A has any information about the purpose or objectives of thread 78B. This is reinforced by the fact that each thread is described as routing its subquery to a **separate** server process, according to the Examiner. Reiner never suggests that these **separate** server processes have “information about one or more tasks, to be performed by processes other than the [server] process”, as claimed.

Applicant notes that section (2) of the Examiner’s Answer continues to argue that Reiner’s discloses sharing (two executor functions which share the same pnode data structure). However, it is impossible to stretch this sharing to apply to Reiner’s server processes, subqueries, and/or threads 78A, 78B, and 78C.

Borden’s “shared access” also does not address this feature. This portion of Borden merely describes having shared access to an entire database, which as stated has no connection to the sharing of the claimed “set of information”.

V. Section (4) of Examiner’s Answer is Non-Responsive, and Misunderstands Applicant’s Use of the claimed “sharing”.

It is important to understand Applicant does not simply claim “sharing”, but instead recites the very specific:

“... sharing the set of information with each slave process of said plurality of slave processes, wherein the set of information shared with each slave process includes (a) information about a task to be performed by said slave process, and (b) information about one or more tasks, to be performed by processes other than the slave process, to execute the database statement ...”.

Section (4) of the Examiner’s answer argues that Borden’s database being in read-only mode or S.R.O.D. (Shared Read Only Data) configuration meets this feature. However, Claim 1 recites sharing a set of information across slave processes, and then discusses what is specifically contained within that set of information. Thus, Claim 1 describes a specific set of information used by a set of slave processes within a database, while Borden discusses sharing of the entire database. As stated, there is a very significant difference between these two.

VI. CONCLUSION AND PRAYER FOR RELIEF

Based on the foregoing, it is again respectfully submitted that 1) the rejection of Claims 15-25 and 27-29 under 35 U.S.C. §101 lacks the requisite factual and legal bases, and 2) the rejection of Claims 1-7, 11, 14-21, 25, and 29 under 35 U.S.C. §103 as being allegedly unpatentable over Reiner in view of Borden also lacks the requisite factual and legal bases. Appellants therefore respectfully request that the Honorable Board reverse the rejections of Claims 1-25 and 27-29.

Respectfully submitted,

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